

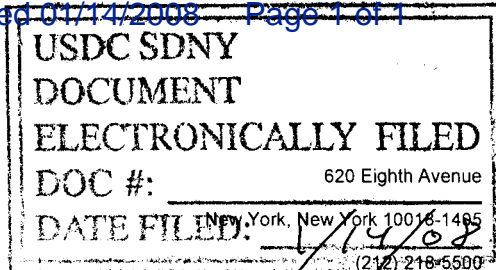
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January 9, 2008

**MEMO ENDORSED**

By Hand

The Honorable William H. Pauley, III  
United States District Court  
for the Southern District of New York  
Room 2210, Courtroom 11D  
500 Pearl Street  
New York, New York 10007

Re: Hopper v. Banana Republic LLC, et al.,  
No. 07 CV 8526 (WHP) (THK)

Dear Judge Pauley:

We represent Defendants Banana Republic, LLC, Banana Republic, Inc., and The Gap, Inc. (collectively, "The Gap") in the above-referenced action.

The Gap's Motion to Dismiss or in the Alternative for Summary Judgment is now fully briefed. Oral argument on that motion is scheduled for January 25, 2008 at 12:00 p.m. Unfortunately, I must be out of town that day and therefore respectfully request that the argument be rescheduled. I have consulted with Derek Smith, counsel for the Plaintiff, and he has no objection to this request. No previous requests to adjourn this date have been made.

I thank the Court in advance for its consideration.

*Application granted.*  
**SO ORDERED:**

*William H. Pauley III*  
WILLIAM H. PAULEY III U.S.D.J.

*1/11/08*

cc: Derek T. Smith, Esq. (by fax)

Respectfully submitted,

SEYFARTH SHAW LLP

*Robert S. Whitman*  
Robert S. Whitman (RW-1140)

*Oral argument is adjourned  
to February 15, 2008 at 11:00 a.m.*

ATLANTA BOSTON CHICAGO HOUSTON LOS ANGELES NEW YORK SACRAMENTO SAN FRANCISCO WASHINGTON, D.C. BRUSSELS